

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARK NUNEZ, et al.,

Plaintiffs,

**DECLARATION OF**  
**MICHAEL BARDALES**

-against-

CITY OF NEW YORK, et al.,

11 Civ. 5845 (LTS)(JCF)

Defendants.  
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UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

-against-

CITY OF NEW YORK and NEW YORK CITY  
DEPARTMENT OF CORRECTION,

Defendants.  
-----X

STATE OF NEW YORK )

:SS:

COUNTY OF QUEENS )

I, Michael Bardales, declare pursuant to 28 U.S.C. Code §1746 under penalty of perjury  
that the following is true and correct:

1. I am a Director with the Investigations Division (ID) of the New York City Department of Correction.
2. I have been asked by the City of New York to prepare the following declaration pertaining to Illustrative Examples 1-5 in the Monitor's July 10, 2023 report.
3. As a Director in ID, I am aware of the underlying incidents and resulting investigations designated as UOF 1156/23, UOF 0039/23, UOF 0683/23, and UOF 2893/23, and the ID has closed these investigations.

4. As a Director in the ID, I am aware that the underlying incident regarding UOF 1069/23 is still open and being investigated by the ID.
5. At this juncture, disclosure of any documents pertaining to the underlying incident regarding UOF 1069/23 and the resulting investigation would impact the integrity of such investigation by revealing privileged investigative and law enforcement techniques. Furthermore, disclosure of any documents pertaining to the underlying incident would prevent the Investigations Division from pursuing certain investigative avenues.
6. I have also been asked by the City of New York to prepare the following declaration pertaining to the following ID files involving use of force: 0581/23, 0798/23, 1091/23, 1493/23, 1534/23, 1544/23, 1598/23, 1703/23, 1798/23, 1951/23, and 2062/23.
7. As a Director in ID, I am aware of the use of force incidents regarding file numbers 0581/23, 0798/23, 1091/23, 1493/23, 1534/23, 1544/23, 1598/23, 1703/23, 1798/23, 1951/23, and 2062/23.
8. The underlying use of force incidents regarding file numbers 0581/23, 0798/23, 1091/23, 1493/23, 1534/23, 1544/23, 1598/23, 1703/23, 1798/23, 1951/23, and 2062/23 are still open and being investigated by the ID.
9. At this juncture, disclosure of any documents pertaining to the underlying use of force incidents regarding file numbers 0581/23, 0798/23, 1091/23, 1493/23, 1534/23, 1544/23, 1598/23, 1703/23, 1798/23, 1951/23, and 2062/23 would impact the integrity of these investigations by revealing confidential sources as well as privileged investigative and law enforcement techniques. Furthermore, disclosure of any documents pertaining to the underlying use of force incidents would prevent the ID from pursuing certain investigative avenues.

  
[NAME]

Date: 09/27/2023